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**SURFACE TRANSPORTATION BOARD  
SECTION OF ENVIRONMENTAL ANALYSIS**

**POST ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-1006X

April 16, 2007

**ABANDONMENT TYPE**

The time for comments on the Environmental Assessment (EA) has expired in this:

( X ) Notice of Exemption ( ) Petition for Exemption ( ) Regulated Abandonment

( ) **NO NEW COMMENTS WERE RECEIVED**

( X ) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on March 30, 2007 for public review and comment. In the EA, SEA recommended two environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

**Comments on the EA**

Based on available information, the New Jersey Historic Preservation Office (SHPO) has submitted comments (copy attached) stating that the proposed abandonment would not adversely affect National Register of Historic Places (National Register) historic properties located within the right-of-way (the Area of Potential Effect or APE) of the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 800.5(b), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(e), consists of the railroad's historic report, all relevant correspondence, the EA, and this Post EA, which have been provided to the SHPO and made available to the public through posting on the Board's web site at <http://www.stb.dot.gov>.

**Conclusions**

The EA comment period has ended. Accordingly, SEA recommends that the SHPO condition recommended in the EA should not be imposed upon any decision granting abandonment authority. The Geodetic condition recommended in the EA should be imposed upon any decision granting abandonment authority. The condition is:

New York & Greenwood Lake Railway (NYGL) shall notify the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities in order to plan for the possible relocation of geodetic station markers by NGS.

If the above condition is imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

SEA CONTACT: Ken Blodgett (202-245-0305)

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April 4, 2007

VIA UPS SECOND DAY AIR and FAX (202) 245-0454

Hon. Vernon A. Williams  
Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Attention: Case Control Unit  
Mr. Kenneth Blodgett, Section of Environmental Analysis

Dear Secretary Williams:

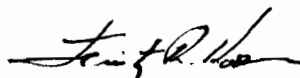
This refers to STB Docket No. AB-1006X, New York & Greenwood Lake Railway—Abandonment Exemption—In Passaic, Passaic County, NJ, and to the Environmental Assessment, served March 30, 2007.

Attached is a copy of letter from Ms. Dorothy P. Guzzo, Deputy State Historic Preservation Officer, dated April 3, 2007, concurring with the railroad's "conclusion that the abandonment of the former Bergen and Dundee Branch of the Erie Railroad between milepost 1.1 and 1.8, currently operated as the New York and Greenwood Lake Railway, will not adversely affect any properties listed on or eligible for listing on the National Register of Historic Places."

The letter obviates the need for imposing the second condition which the Environmental Assessment recommended be imposed on the Board's decision granting the abandonment authority, and New York & Greenwood Lake Railway respectfully asks that it not be imposed.

Two copies of this letter are enclosed.

Sincerely yours,

  
Fritz R. Kahn

cc: Mr. James R. Wilson



HPO-D2007-10 PROD  
Log # 07-0747-1, 2, and 3

## State of New Jersey

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Natural and Historic Resources, Historic Preservation Office

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JON S. CORZINE  
Governor

LISA P. JACKSON  
Commissioner

April 3, 2007

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

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#### Attention: Section on Environmental Analysis

Dear Mr. Williams:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the *Federal Register* on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40544-40555), I am providing **Consultation Comments** for the following proposed action:

**Surface Transportation Board (STB) Number AB 10006X  
New York and Greenwood Lake Railway  
(formerly Bergen and Dundee Branch - New York, Lake Erie, & Western Railroad)  
Abandonment of Railroad Right of Way, milepost 1.1 to milepost 1.8  
City of Passaic, Passaic County, New Jersey.**

**SUMMARY:** The abandonment of the former Bergen and Dundee Branch of the New York, Lake Erie, and Western (Erie) Railroad between mileposts 1.1 and 1.8, currently operated as the New York and Greenwood Lake Railway, will not adversely affect historic properties listed on or eligible for listing on the National Register of Historic Places.

#### 800.4 Identification of Historic Properties

At least six (6) large industrial buildings or industrial complexes, eligible or potentially eligible for listing on the National Register of Historic Places (NRHP), abut the segment of the railroad right of way proposed for abandonment. Two of these buildings (industrial complexes) have previously been evaluated as eligible for listing on the National Register of Historic Places by the 1984 City of Passaic historic sites survey:

212 Passaic Street, a 3-story, 15 bay brick industrial mill building, built circa 1870, and a part of the larger Waterhouse Brothers woolen mill complex that occupies the property parallel to and abutting the railroad right of way along the Dundee Canal; and

219 Passaic Street, a 4-story, brick industrial building, formerly a part of the New York Belting and Packing Company, described by the City of Passaic historic sites survey as the "first rubber manufactory in the United States."

The City of Passaic historic sites survey also evaluated four other buildings abutting the railroad right of way as "buildings of major importance" to the City of Passaic and today these surviving buildings would very likely be considered potentially eligible for listing on the National Register of Historic Places:

79 South Street (between 6<sup>th</sup> and 7<sup>th</sup>), a 5-story rectangular brick building with a "unique stylistic treatment" and possessing original integrity;

125 South Street (between 5<sup>th</sup> and 3<sup>rd</sup>), a 2-story horizontal brick industrial building, built circa 1888;

1 Market Street, a massive 7-story industrial building characterized by "modernist architecture" defined by concrete piers and "projecting bays above the roofline";

2 Market Street, a 4-story industrial building divided into 6 bays by massive brick pilasters with cast stone bases.

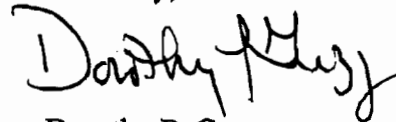
In current aerial photographs, all of the above six (6) buildings appear to be intact as described and illustrated by the 1984 City of Passaic historic sites survey.

#### **800.5 Assessment of Adverse Effects**

West of approximately the intersection of 5<sup>th</sup> Street and South Street, the railroad right of way is not clearly delineated in block and lot tax maps and 2006 aerial photographs do not reveal the presence of an intact railroad with track or grade crossings. The right of way and its relation to the industrial buildings abutting the right of way can easily be seen in the aerial photographs. Because the apparent absence of any railroad track appears to preclude service to the identified historic buildings and the right of way, even without track or structures, does not appear to be a surviving remnant of a previously significant railroad line (the former Bergen and Dundee Branch railroad), I concur with the conclusion that the abandonment of the former Bergen and Dundee Branch of the Erie Railroad between mileposts 1.1 and 1.8, currently operated as the New York and Greenwood Lake Railway, will not adversely affect any properties listed on or eligible for listing on the National Register of Historic Places.

If you have any questions regarding the assessment of historic resources or effects, please contact Charles Scott at (609) 633-2396.

Sincerely,



Dorothy P. Guzzo  
Deputy State Historic  
Preservation Officer

C: Mr. Fritz R. Kahn, Attorney  
Railroad and Freight Services, NJDOT  
City of Passaic

CS:C/STBNY&GLDundeeBranch